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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

DONALD BETTS,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:19-cv-01769-APG-BNW

ORDER

Plaintiff Donald Betts, who is incarcerated at High Desert State Prison, submitted a civil rights complaint under 42 U.S.C. § 1983 on October 9, 2019. (ECF No. 1-1). Plaintiff did not pay the full filing fee for this case or file an application to proceed *in forma pauperis*.

Under 28 U.S.C. § 1915(a) and Local Rules ("LSR") 1-1 and 1-2, plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a signed financial certificate. The court will retain plaintiff's complaint (ECF No. 1-1), but it will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, to pay the full filing fee for this action.

IT IS THEREFORE ORDERED that the clerk of court must send plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the accompanying information form and instructions for filing an in forma pauperis application.

IT IS FURTHER ORDERED that by November 18, 2019, plaintiff must: (1) file a complete application to proceed in forma pauperis, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full $400 fee for a civil action

1 (which includes the $350 filing fee and the $50 administrative fee). Plaintiff is advised that

2 failure to comply with this order will result in a recommendation that his case be dismissed.

3   IT IS FURTHER ORDERED that the clerk of court must retain the complaint (ECF No.

4 1-1) but must not file it at this time.

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6   DATED: October 18, 2019

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   BRENDA WEKSLER
9 UNITED STATES MAGISTRATE JUDGE

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